



STATE OF LOUISIANA
DEPARTMENT OF STATE CIVIL SERVICE
LOUISIANA BOARD OF ETHICS

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May 7, 2021

VIA SHAREPOINT

The Division of Administrative Law
1020 Florida Street
Baton Rouge, LA 70802

RE: *In the Matter of Marla Cooper, Donald Cooper, and Cooper Construction, LLC*
Agency Tracking No.: 2020-240

Dear Ms. Duhon:

On behalf of the Louisiana Board of Ethics, please file the attached *Charges* in the referenced matter.

If you have any questions, please do not hesitate to contact me at 225-219-5619, and thank you.

Kindest regards,

LOUISIANA BOARD OF ETHICS

A handwritten signature in black ink, reading "Elizabeth W. Barrouquere".

Elizabeth Barrouquere
Staff Paralegal

Enclosures

cc: Ms. Marla Cooper
146 E. 60th Street
Cut Off, LA 70345-3380
(via certified mail no. 70200090000066036353)

Mr. Donald Cooper
146 E. 60th Street
Cut Off, LA 70345-3380
(via certified mail no. 70200090000066036346)

Cooper Construction, LLC
Through its Registered Agent: Donald
Cooper
146 E. 60th Street
Cut Off, LA 70345-3380
(via certified mail no. 70200090000066036339)

**STATE OF LOUISIANA
DIVISION OF ADMINISTRATIVE LAW**

LOUISIANA BOARD OF ETHICS

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DOCKET NO.

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IN THE MATTER OF

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**MARLA COOPER, DONALD COOPER,
AND COOPER CONSTRUCTION, LLC**

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AGENCY TRACKING NO. 2020-240

CHARGES

The Louisiana Board of Ethics (hereinafter referred to as the “BOE”) voted on May 6, 2021 to, and does hereby, file the following Charges:

1.

The BOE is an agency of the State of Louisiana domiciled in East Baton Rouge Parish, Louisiana.

2.

The BOE is authorized to file these Charges by virtue of the provisions of La. R.S. 42:1141C(3)(a) and (b); the Ethics Adjudicatory Board has jurisdiction of this matter pursuant to La. R.S. 42:1141C(3)(a) and La. R.S. 42:1141.5; and East Baton Parish, the domicile of the BOE and Ethics Adjudicatory Board is the proper venue pursuant to La. R.S. 42:1141.3.

3.

Made Respondent herein is

Marla Cooper, a person of the full age of majority, domiciled in the Parish of Lafourche with a last known address of 146 E. 60th Street, Cut Off, Louisiana 70345-3380;

Donald Cooper, a person of the full age of majority, domiciled in the Parish of Lafourche with a last known address of 146 E. 60th Street, Cut Off, Louisiana 70345-3380; and

Cooper Construction, LLC, a Louisiana Limited Liability Company domiciled in Lafourche Parish with a last known address of 146 E. 60th Street, Cut Off, Louisiana 70345-3380 and whose Registered Agent is Donald Cooper;

4.

Lafourche Parish Recreational District No. 3 is a component unit of the Lafourche Parish Government. Lafourche Parish Council Ordinance Section 34-211, Ordinance No. 6171.

5.

On April 23, 2019, Marla Cooper was appointed to the Lafourche Parish Recreational District No. 3 Board of Directors by the Lafourche Parish Council. She took her Oath of Office on May 23, 2019. She has continuously served in this position at all times pertinent herein and still remains a member of the Lafourche Parish Recreational District No. 3 Board of Directors.

6.

Donald Cooper and Marla Cooper were married on May 10, 2014 and have been continuously married at all times pertinent herein. They maintain a community property regime.

7.

Donald Cooper owns 100% of the membership interest in Cooper Construction, LLC.

8.

On June 4, 2019, at a regular board meeting of the Lafourche Parish Recreational District No. 3, Supervisor Patton Pierce discussed requesting quotes to chop and grate fields at Larose Park.

9.

At the June 4, 2019 meeting of the Lafourche Parish Recreational District No. 3, on a motion made by Neil Martin and seconded by Marla Cooper, the board approved that the fields at Larose Park be chopped and grated and directed Patton Pierce to obtain three quotes.

10.

On June 23, 2019, Patton Pierce emailed Donald Cooper, owner of Cooper Construction, LLC, and advised him of the project requirements and requested two quotes by July 8, 2019 in order for the quotes to be considered by the Lafourche Parish Recreational District No. 3 Board at its July 10, 2019 meeting.

11.

On July 7, 2019, Donald Cooper, on behalf of Cooper Construction, submitted two quotes as requested. The first quote was for \$6,500 and the second quote was for \$7,100. The scope of work for each quote was different.

12.

At the July 10, 2019 meeting of the Lafourche Parish Recreational District No. 3 Board, Patton Pierce advised the board that he received a quote from Cooper Construction and two “no quotes” from two other companies.

13.

At the July 10, 2019 meeting of the Lafourche Parish Recreational District No. 3 Board, a motion was made and approved to award the project to Cooper Construction, LLC. Marla Cooper abstained from the vote to award the project to her husband and his company.

14.

On July 12, 2019, Patton Pierce emailed Donald Cooper advising him that the Lafourche Parish Recreational District No. 3 Board awarded his company, Cooper Construction, LLC, the project to perform the work on the fields at Larose Park and that the project be completed by December 2019.

15.

On September 4, 2019, at a meeting of the Lafourche Parish Recreational District No. 3 Board, the board accepted a bid from Cooper Construction, LLC for a project on a small field at Golden Meadow.

16.

On September 19, 2019, Donald Cooper, on behalf of Cooper Construction, issued an invoice to Lafourche Parish Recreational District No. 3 seeking payment of \$9,300.00 for work performed on the projects for the Lafourche Parish Recreational District No. 3.

17.

To date, Lafourche Parish Recreational District No. 3 has not paid Donald Cooper or Cooper Construction, LLC for the work performed on the projects for the Lafourche Parish Recreational District No. 3.

18.

The following provisions of the Louisiana Code of Governmental Ethics are implicated by the alleged facts stated herein:

(a) **La. R.S. 42:1102(13)** defines "immediate family" as the term relates to a public servant to mean his children, the spouses of his children, his brothers and their spouses, his sisters and their spouses, his parents, his spouse, and the parents of his spouse.

(b) **La. R.S. 42:1102(16)** defines "person" to mean an individual or legal entity other than a governmental entity, or an agency thereof.

(c) **La. R.S. 42:1102(23)** defines "Transaction involving the governmental entity" to mean any proceeding, application, submission, request for a ruling or other determination, contract, claim, case, or other such particular matter which the public servant or former public servant of the governmental entity in question knows or should know: (a) Is, or will be, the subject of action by the governmental entity. (b) Is one to which the governmental entity is or will be a party. (c) Is one in which the governmental entity has a direct interest.

(d) **La. R.S. 42:1113B** prohibits an appointed member of any board or commission, member of his immediate family, or a legal entity in which he has a substantial economic

interest, from bidding on or entering into or being in any way interested in any contract, subcontract, or other transaction which is under the supervision or jurisdiction of the agency of such appointed member.

(e) **La. R.S. 42:1153B** provides that upon finding that any public employee or other person has violated any provision of any law within the jurisdiction of the board . . . , the board by a majority vote of the membership, may remove, suspend, or order a reduction in pay, or demotion of the public employee or other person, or impose a fine of not more than ten thousand dollars, or both.

(f) **La. R.S. 42:1155A** provides that if an investigation pursuant to R.S. 42:1141 reveals that any public servant or other person has violated any law within the jurisdiction of the board to his economic advantage, the board may order the payment of penalties. Recovery may include, in addition to an amount equal to such economic advantage, penalties not to exceed one half of the amount of the economic advantage.

19.

Based on the stated facts herein, Marla Cooper, while serving as a member of the Lafourche Parish Recreational District No. 3 Board of Directors, violated La. R.S. 42:1113B by being in any way interested in a contract and/or transaction under the supervision or jurisdiction of the Lafourche Parish Recreational District No. 3 when her husband, Donald Cooper, and his company, Cooper Construction, LLC submitted a quote to the Lafourche Parish Recreational District No. 3 to perform work, performed the work for the Lafourche Parish Recreational District No. 3, and submitted an invoice to the Lafourche Parish Recreational District No. 3 for payment for the work performed.

21.

Based on the stated facts herein, Donald Cooper and/or Cooper Construction, LLC, violated La. R.S. 42:1113B by entering into and/or by being in any way interested in a contract and/or transaction under the supervision or jurisdiction of the Lafourche Parish Recreational District No. 3 at a time when Donald Cooper's wife, Marla Cooper, served as a member of the Lafourche Parish Recreational District No. 3 Board of Directors, when Donald Cooper, and his company, Cooper Construction, LLC submitted a quote to the Lafourche Parish Recreational

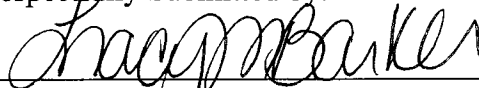
District No. 3 to perform work, performed the work for the Lafourche Parish Recreational District No. 3, and submitted an invoice to the Lafourche Parish Recreational District No. 3 for payment for the work performed.

22.

In accordance with La. R.S. 42:1141C(3)(b)(iv), on May 6, 2021, the BOE designated Tracy M. Barker, David Bordelon, Suzanne Q. Mooney, LaToya Jordan, Gregory Thibodeaux, and Charles Reeves as the BOE's trial attorneys in this matter.

WHEREFORE, the Louisiana Board of Ethics respectfully prays that the Ethics Adjudicatory Board (a) conduct a hearing on the foregoing charges; (b) determine that Marla Cooper, Donald Cooper, and/or Cooper Construction, LLC violated La. R.S. 42:1113B, with respect to the forgoing stated facts; and (c) assess appropriate penalties in accordance with the Louisiana Code of Governmental Ethics.

Respectfully Submitted by:



Tracy M. Barker, Bar Roll # 27005
David M. Bordelon, Bar Roll # 32350
Suzanne Q. Mooney- Bar Roll # 23904
Gregory Thibodeaux - Bar Roll # 18463
Charles Reeves, Bar Roll # 33453
LaToya D. Jordan - Bar Roll # 33208
P.O. Box 4368
Baton Rouge, Louisiana 70821
Telephone: 225/219-5600
Facsimile: 225/381-7271
Email: tracy.barker@la.gov

**TRIAL ATTORNEYS FOR THE LOUISIANA
BOARD OF ETHICS**

CERTIFICATE OF SERVICE

I hereby certify that a copy of these Charges have been issued for service to the Respondents, Marla Cooper, Donald Cooper and Cooper Construction, LLC, at their last known addresses, by certified mail in accordance with La. R.S. 42:1141.4, on this 7th day of May, 2021.

MARLA COOPER

146 E. 60th Street
Cut Off, Louisiana 70345-3380

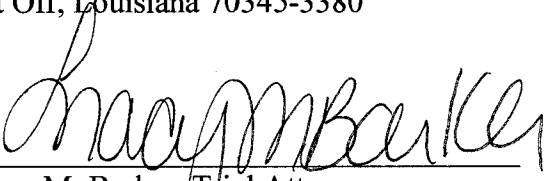
DONALD COOPER

146 E. 60th Street
Cut Off, Louisiana 70345-3380

COOPER CONSTRUCTION, LLC

Through its Registered Agent:

Donald Cooper
146 E. 60th Street
Cut Off, Louisiana 70345-3380



Tracy M. Barker, Trial Attorney